

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C. 20554

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In the Matter of

 Amendment of the Commission's Rules
 Concerning Maritime Communications

 Petition for Rule Making filed by
 Regionet Wireless License, LLC

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PR Docket No. 92-257

RM-9664

 FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF THE SECRETARY

To: The Commission

REPLY TO SUPPLEMENT TO OPPOSITION TO PETITION FOR RECONSIDERATION

Mobex Communications, Inc. ("Mobex") hereby respectfully submits its Reply to the Supplement to Opposition to Petition for Reconsideration (Havens's Supplement) dated October 7, 2002, filed in the above captioned matter by Warren C. Havens (Havens). In support of its position, Mobex shows the following.

The Commission Should Dismiss and Disregard Havens's Supplement

The Commission's Rules do not authorize an endless stream of pleadings in a rule making proceeding. Havens not only did not request leave to file his Supplement, but showed no reason why he could not have included his argument in his regular opposition. Procedurally, Havens's Supplement is puzzling because he identified it as a supplement to his opposition and served it on undersigned counsel, but he requested ex parte status for his filing. Havens's Supplement stated that it had been filed electronically, but did not indicate that Havens had complied with the requirement of 47 C.F.R. §1.1206(b)(1) to file two written copies with the Secretary. If not

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dismissing Havens's Supplement as an unauthorized pleading, the Commission should dismiss or disregard the filing as not in compliance with Rule Section 1.1206(b)(1).

Havens yet again abused the Commission's processes to carry on an irrelevant and immaterial attack on Mobex in the course of a rule making proceeding. Since Havens does not compete with Mobex in any AMTS service area, there is no rationality to his continued attacks. Havens failed to present any argument in his supplement which might bear on any issue in the above captioned proceeding and he provided no evidence to support his claims. The Commission should not only dismiss and disregard Havens's Supplement, but should admonish Havens to desist from abusing the Commission's processes to carry forward his apparent vendetta against Mobex.

Havens Was Just Plain Wrong on All Claims

At page 2 of his Supplement, Havens claimed that a caller accessing one Mobex coast station could not connect to a caller accessing another Mobex coast station. Havens was dead wrong. A Mobex customer operating with one Mobex coast station certainly can reach another Mobex customer who is operating in association with a different Mobex coast station.

Mobex no longer uses LTR equipment, and Havens's reliance on the documents on only one manufacturer of LTR equipment was misplaced and inadequate. Several manufacturers, *e.g.*, Trident Micro Systems, produce equipment which provide extensions to the original LTR system architecture. When Mobex did use LTR equipment, the equipment was configured so that a Mobex

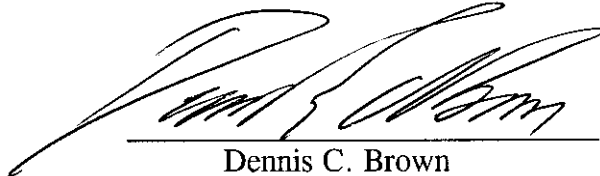
customer operating with one Mobex coast station was able to reach another Mobex customer who was operating in association with a different Mobex coast station.

Mobex coast stations operate in manner which is sufficient to provide immediate access to a marine unit. Havens provided no evidence that any marine unit had ever been obstructed by a land unit and denied immediate access to the Mobex system.’

Conclusion

For all the foregoing reasons, the Commission should dismiss and disregard Havens’s Supplement and take such other action concerning Havens as may appear to be appropriate.

Respectfully submitted,
MOBEX COMMUNICATIONS, INC.

A handwritten signature in black ink, appearing to read "Dennis C. Brown", is written over a horizontal line.

Dennis C. Brown
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Arlington, Virginia 22201
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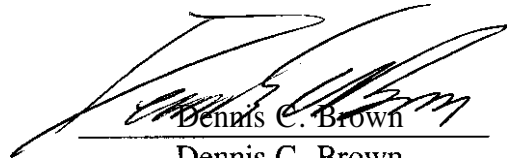
Dated: October 15, 2002

¹ It should be noted that the Commission’s Rules do not require that a land unit call in progress be interrupted to provide access to a marine unit.

CERTIFICATE OF SERVICE

I hereby certify that on this fifteenth day of October, 2002, I served a copy of the foregoing on the following person by placing a copy in the United States Mail, first class postage prepaid:

Warren C. Havens
2509 Stuart Street
Berkeley, California 94705



Dennis C. Brown
Dennis C. Brown